

July 9, 2019

**Colin Folawn**

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**VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED**  
**VIA E-MAIL (HQ.FOIA@EPA.GOV AND R10FOIA@EPA.GOV)**

**Ryan W. Dumm**

Admitted in Washington  
T: 206-689-1201  
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Records, FOIA, and Privacy Branch  
Office of Environmental Information  
Environmental Protection Agency  
1200 Pennsylvania Avenue (2822T)  
NW  
Washington, D.C. 20460

Freedom of Information Office  
Region X  
Environmental Protection Agency  
1200 Sixth Avenue  
Seattle, WA 98101

RE: Freedom of Information Act Request  
Our File No.: 132347-236238

To Whom it May Concern:

Schwabe, Williamson & Wyatt, P.C., hereby requests the following government records<sup>1</sup> for public inspection and copying pursuant to 5 U.S.C. § 552 *et seq.* and 40 C.F.R. § 2.100 *et seq.*:

1. Records regarding<sup>2</sup> the Agency's<sup>3</sup> potential, selected, or anticipated remedies for the in-water portion of the Site<sup>4</sup> between January 1, 2004, and December 31, 2007.
2. Records regarding the Agency's potential, selected, or anticipated remedies for the upland portion of the Site<sup>5</sup> between January 1, 2004, and December 31, 2007.

<sup>1</sup> For the purpose of this request, the word "records" means public information that is fixed in any tangible medium whatsoever and includes, by way of illustration only and not by way of limitation, the following: documents; e-mail or other computer or electronic information; notes; correspondence; communications of any nature; reports; memoranda; notebooks; summaries or records of personal conversations; spreadsheets; datasets; diaries; publications; photographs; minutes or records of meetings; transcripts of oral testimony or statements; reports and summaries of interviews; reports or summaries of investigation; press releases; drafts of, revisions to, or translations of any document; tape recording; or other records.

<sup>2</sup> For the purpose of this request, the word "regarding" means relating to, constituting, comprising, describing, explaining, summarizing, being logically connected to, being chronologically connected to, mentioning, or being in any way concerning—directly or indirectly.

<sup>3</sup> For the purpose of this request, the word "Agency" means the United States Environmental Protection Agency, including all its affiliated offices, regions, organs, sub-organs, and authorized representatives.

<sup>4</sup> For the purpose of this request, the word "Site" means the Portland Harbor Superfund Site in Portland, Oregon (Superfund Site Identification No. ORSFN1002155), and the term "in-water portion of the Site" means that portion of the Site in the Willamette River from approximately river mile 1.9 to river mile 11.8.

<sup>5</sup> For the purpose of this request, the term "upland portion of the Site" means that portion of the Site that is upland of the Willamette River.

3. Records regarding the Agency's estimated costs for any potential, selected, or anticipated remedies for the in-water portion of the Site between January 1, 2004, and December 31, 2007.
4. Records regarding the Agency's estimated costs for any potential, selected, or anticipated remedies for the upland portion of the Site between January 1, 2004, and December 31, 2007.
5. Records regarding any testing, investigation, contamination, releases, potential releases, or evaluations of any hazardous substances on or adjacent to the Northwest Terminal<sup>6</sup> between January 1, 2004, and December 31, 2007.
6. Records regarding the Agency's review, analysis, or evaluation of any cleanup cost estimate that was prepared or submitted by the Lower Willamette Group prior to December 31, 2007.
7. Records regarding any prior draft, iteration, version, or estimate of the Agency's \$1,054,200,000 in estimated costs referenced in Section 14.3 of the Agency's January 2017 Record of Decision for the Site.

We agree to pay applicable fees charged under 40 C.F.R. § 2.107 up to \$500. If the Agency determines or estimates that the fees to be charged under this section will amount to more than \$500, we request advance written notification of the estimated amount of fees.

We request electronic copies of records in native format wherever available and request that the Agency preserve and transmit all metadata of electronic records. For documents that are stored only in hard-copy format, we request to perform in-person inspection to identify documents for further copying or scanning.

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<sup>6</sup> For the purpose of this request, the term "Northwest Terminal" means the approximate 52 acres located at tax lots 18, 31, 63, and 38 at Twnshp/Range/Sect: 2N, 1W, 35 in the State of Oregon, County of Multnomah, and commonly known as 10350 N. Time Oil Road, Portland, Oregon.

Records, FOIA, and Privacy Branch  
Freedom of Information Officer  
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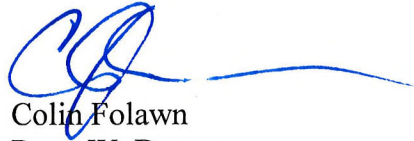
The following information is provided pursuant to 40 C.F.R. § 2.102(a):

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Schwabe, Williamson & Wyatt, P.C.  
1420 Fifth Avenue, Suite 3400  
Seattle, WA 98101  
(206) 689-1201  
rdumm@schwabe.com

Please let us know if you have any questions regarding this request.

Sincerely,

SCHWABE, WILLIAMSON & WYATT, P.C.

A handwritten signature in blue ink, appearing to read 'Colin Folawn', with a long horizontal flourish extending to the right.

Colin Folawn  
Ryan W. Dumm

CJF

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